

To: Sylvia Hamilton via email

Date: March 10, 2006

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Subject: March 3, 2006 Perchlorate Community Advisory Group Meeting Minutes

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A meeting of the Perchlorate Community Advisory Group was held at the San Martin Lions Club, 12415 Murphy Avenue, San Martin, on March 3, 2006 at 2 pm.

**I. Pledge of Allegiance**

**II. Administrative Items**

A. *Copies of the agenda and the meeting minutes are on the back table.*

B. *Introductions*

1. Hector Hernandez, Regional Water Quality Control Board (RWQCB), introduced Thea Tryon, also with the RWQCB. Ms. Tryon will be assisting with project management, with a focus on hydrogeologic and northeast flow issues.

2. PCAG welcomes two new committee members: Terry Mahurin and Swanee Edwards, who are both residents of the City of Morgan Hill.

3. Committee Introductions

C. *"Thank You's"*: Ms. Hamilton offered thanks to Ms. Tracy Hemmeter for always providing cookies and snacks, to Mr. Bob Cerruti for setting up the tables and chairs, and the San Martin Neighborhood Alliance for providing us with coffee, plates, and napkins at all meetings. Mr. Cerruti does need help in setting up so if anyone is available please meet him at the Lions Club half an hour before the scheduled meeting.

D. *Attendee Sign-in Sheets*: Ms. Hamilton advised people to add their name and contact information to the sign-in sheets if they would like to be on the PCAG mailing list.

E. *Open Forum – none*

F. *February 3<sup>rd</sup> meeting minutes approved with three corrections:*

The date in the header and first sentence should be changed from February 4<sup>th</sup> to February 3<sup>rd</sup>, 2006

On page 2 of 5, 3<sup>rd</sup> paragraph, the 3<sup>rd</sup> sentence should be changed to, As a result, Mr. Laird proposed that a monitoring system be put in place by the Regional Board, for wells that have water delivery stopped, until the risk of increased levels of contamination subside. Mr. Laird wants public health to be protected and the least burden placed on the well users.

On page 2 of 5 in section number two the word "round" should be changed to "found"

G. Future Olin Presentations: Ms. Hamilton spoke with Rick McClure, Olin Corporation, regarding Olin presentations at PCAG. Mr. McClure said that Olin would come to at least two PCAG meetings in 2006. Both Ms. Hamilton and Mr. McClure want to ensure that we get the most “bang for the buck.” PCAG concurred with Ms. Hamilton’s suggestion that Olin present at the May PCAG meeting, which will allow sufficient time for PCAG and interested parties to review the reports Olin is submitting in March and April.

### III. Presentation/Discussion

#### A. *Recent Editorial & Possible Response – Craig O'Donnell, Assemblymember Laird's Office*

On February 18, 2006, the Gilroy Dispatch newspaper published an editorial regarding Olin’s proposed cleanup level of 11 ppb. The editorial implied that since the background water quality prior to the contamination is not clear, it is an unenforceable standard. As a result, they proposed that the State adopted Public Health Goal (PHG) of 6ppb was the appropriate long-term groundwater clean up goal. Ms Hamilton expressed concern because this is misleading information. The PHG addresses human health not groundwater remediation. Federal and State laws, and thereby the Water Code, do not allow degradation of state waters and cleaned up must be to the level prior to contamination (background) until ‘proven’ not to be feasible. PCAG is working hard to get residents involved in the remediation process and to present them with the most accurate and timely information available. Ms. Hamilton will be meeting with the South Valley Newspaper editors in March to address this concern.

Assemblyman John Laird’s office responded to the editorial with a letter stating that it is not acceptable to relinquish the polluter of responsibility because we cannot verify exactly what the water quality was before the contamination. Lastly, Ms. Hamilton emphasized that everyone is appreciative to the Morgan Hill Times and Gilroy Dispatch for keeping the community informed about the perchlorate problem, especially Matt King and his dedication and accuracy concerning this problem.

Mr. Hernandez added that the RB will be sending out a letter to Olin that will be focused on what steps are necessary in setting a cleanup goal.

#### B. *Recent Sampling Downward Trends – Sylvia Hamilton:*

1. *Possible Causes:* In the recent months, there has been a downward trend in the levels of perchlorate contamination within the plume. Although, everyone is happy about the reduced numbers, the community would also like to know the cause. There is concern that the perchlorate is still in the water but its being diluted by wet winter seasons but trends will go back up if/when we have dry years. Some speculate that cutting off the ‘source’ has had an impact on the entire plume. The questions remains, if levels are naturally going down, then what were the levels 5 or 10 years ago and how does this affect the health of the community members who have been living with this problem for a long period of time.

Mr. Thomas Mohr, Santa Clara Valley Water District (SCVWD), responded to Ms. Hamilton’s comments by stating how surprised he was that 200 wells have decreased to below 6 ppb and the majority of the wells that are being monitored are showing a decreasing trend. Groundwater moves very slowly so cleaning up the site would not make the rest of the plume better so quickly. One reason for the downward trends may be dilution, which can be caused by a wet winter season. However, what would happen if the area goes through some dry years? The process of pumping water and disposing of it through septic systems removes about 50 to 80 pounds of perchlorate each year.

The RB staff stated that the monitoring requirements will enable them to observe changes in trends if and when they occur. We will thereby be able to reinstate alternative water and/or monitoring as needed and in a timely manner.

Q: If water is being used, does it not get put back into the system?

A: Septic systems and certain types of irrigation eliminate perchlorate while others do not.

Q: Are their reports coming out that will address this issue?

A: There is time to have Olin address this issue in their reports.

2. *Lab Testing Results:* Mr. Bob Cerruti reported that both MACTEC and the SCVWD sampled his well, but the results are very different in some cases. In this case, Olin's readings are lower than the other agencies. One reason might be that labs can give different results based on the time of sampling. Also, there is an allowable "margin of error" for the laboratories of +/- 20 percent.

Mr. Mohr added that quality control should be taken into consideration with sampling results. The only way to completely compare results is by taking them at the same time from the same beaker. Whole volume splits are necessary to make an accurate assessment. The variance in most wells that have been measured is small but in a select few it has been very high.

Ms. Tracy Hemmeter asked if Mr. Cerruti had plotted water levels and perchlorate results together to see if there was a relationship between concentration and water level.

Mr. Mohr stated that testing can be done but is Olin required to do the extra testing.

Q: Have other people in the community had this problem?

A: Mr. Cerruti replied that he was not aware of anyone else.

Ms. Andrea Ventura suggested that, after further investigation, maybe this issue could provide a basis for going back to the State Water Resource Control with a request that they reconsider their replacement water order "trigger level" of 6 ppb.

#### C. *Fourth Quarter 2005 Groundwater Monitoring Report Summary – Thea Tryon, RWQCB*

1. **New Multi-level Wells** – 9 depth discrete wells were successfully installed southeast of the Olin site. Groundwater elevation and analytical data will be included in the characterization report and the next groundwater monitoring report.

2. **4<sup>th</sup> Quarter Groundwater Data**

- 42 onsite wells tested
- 863 Offsite wells tested
  - 4 to 6 µg/L = 191 wells
  - > 6µg/L = 31 wells (9 above 10 µg/L)

3. **Appendix E Northeast Flow Assessment Area:** This section includes groundwater elevation and monitoring data. New data presented includes stable isotopes, major anions and cations, geologic cross sections, and aquifer hydraulic property estimates.

4. **Stable isotopes:** Stable isotopes of oxygen-18 and deuterium collected from several wells northeast of the Olin site and the Madrone ponds. The data indicates that recharge water has a different signature relative to native groundwater.

5. **Major Anions and Cations:** Major anions include chloride, sulfate, alkalinity, and nitrate. Major cations include calcium, magnesium, sodium, and potassium. Both anions and cations can be used to identify chemical signatures in water samples.

6. Hydraulic Properties: Data is being collected through slug tests, laboratory tests, and geologic and aquifer hydraulic data support that three major aquifer units are present.

7. A copy of the 4<sup>th</sup> Quarter Monitoring Report can be obtained on the RB's website: <http://www.waterboards.ca.gov/centralcoast/Facilities/Olin%20Perchlorate/Reports/Index.htm>

D. *RWQCB Update – Hector Hernandez and Thea Tryon, RWQCB:*

1. Northeast Flow – The RB staff is still trying to make a determination. The deadline was to be March 30<sup>th</sup>, but it looks like it will be another month before all the information can be thoroughly analyzed.

2. Alternative Water CAO – At the February 10<sup>th</sup>, 2006 RWQCB meeting, RWQCB staff proposed a resolution to approve Olin's request to stop bottled water delivery to the users of 78 wells. The RWQCB did not take action on the resolution. Consequently, Olin will have to continue monitoring the 78 wells until they have collected four consecutive quarters of data beginning May 2005, consistent with the State Water Resource Control Board Order. The RWQCB staff anticipates that Olin will ask to stop supplying water to these residents again in May or June, at which time RWQCB's Executive Officer Mr. Roger Briggs will make the determination. After the residents are taken off bottled water, the RWQCB intends to be very careful about observing water quality monitoring results.

Ms. Hamilton added that the community should have adequate warnings before their bottled water and/or monitoring is discontinued. In May, Olin will be able to discontinue water to anyone whose well is less than 6.1 for 4 quarters.

Mr. O'Donnell commented that the RWQCB was looking to get more monitoring and assurance from Olin, but they are confined by the State Water Resources Control Board's (SWRCB's) order.

Q: Mr. Terry Mahurin asked, given the variations in testing results presented by Mr. Cerruti, whether it would be appropriate to make a formal request to the State Board about the variations in people's contamination levels so a buffer is created around the 6 ppb?

A: Ms. Hamilton responded that the problem was previously brought to the SWRCB's attention. Mr. O'Donnell added that if there is 20 percent variability, the State Board might consider it.

Ms. Tryon stated that if residents test their wells and find higher levels of contamination than Olin, the RWQCB would take the higher test results for determining bottled water requirements.

Ms. Hamilton commented that Mr. Cerruti is fortunate to have multiple people testing his well, but that most people only have the Olin/Mactec testing results.

Mr. Hernandez stated that the RWQCB has the authority to require additional monitoring if it is warranted.

Mr. Mohr added that there are new members of the SWRCB.

Mr. O'Donnell suggested that Mr. Cerruti attend the RWQCB meeting in Watsonville on May 12, 2006 and present his case.

3. *Olin Site Soil & Groundwater Cleanup*: The Water Board staff has completed its review and issue its approval letter.

E. *Domestic Well Ion-Exchange Systems Update – Tom Mohr, SCVWD*

1. Testing Protocol/Certification Process Status: US Filter submitted their proposed testing protocol to the Department of Health Services (DHS). They are basing their protocol on the results from installed ion exchange systems, which are operating effectively. DHS does not usually certify private well ion exchange treatment systems, but is working with the County of Santa Clara, Assemblymember Laird's office, and the SCVWD to develop some approval method. To date, 9 wells are equipped with the ion-exchange systems.

Mr. Hernandez added that RWQCB staff has set a priority to make sure that Olin completes their key tasks and ion-exchange systems installation is one of the key tasks.

IV. Additional Topics

A. *Groundwater Guardian – Tracy Hemmeter, SCVWD*: The main goal of the program is to increase awareness and protection of groundwater. We need to submit a new application every year. This year's application included continued efforts to get information out to the community on perchlorate and includes completing a fact sheet and contact list for the perchlorate issue. Ms. Hemmeter would like to expand the program focus beyond perchlorate at some point.

B. *Crystal Springs/Dispenser Update*: Mr. Cerruti reported that 100 percent of the dust on the dispenser is food grade bacteria and if someone contacts Crystal Springs about a foul taste Crystal Springs will deliver a clean dispenser. Crystal Springs does not have a maintenance sheet.

Ms. Hamilton suggested that the Groundwater Guardian team get together and discuss how to make residents aware of this issue.

C. *Perchlorate Working Group (PWG) – Tracy Hemmeter and Thomas Mohr*: The group discussed different ways to approach perchlorate. The focus of the group is expanding and they are evaluating how much effort is needed on this case compared to other cases.

V. Next Meeting – Thursday, March 30<sup>th</sup> from 7 – 9 pm

Meeting Adjourned